

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**EDMUND TERRELL**

**APPELLANT,**

**v.  
DIVISION OF EMPLOYMENT  
SECURITY**

**RESPONDENT.**

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DOCKET NUMBER WD74680

DATE: July 31, 2012

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Appeal From:

Labor and Industrial Relations Commission

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Appellate Judges:

Division One: James M. Smart, Jr. Presiding Judge, Lisa White Hardwick, Judge and Gary D. Witt, Judge

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Attorneys:

Edmund Terrell, Appellant Pro Se.

Bart A. Matanic, Jefferson City, MO, for respondent.

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**EDMUND TERRELL,**

**APPELLANT,**

**v.**

**DIVISION OF EMPLOYMENT  
SECURITY,**

**RESPONDENT.**

No. WD74680

Labor and Industrial Relations Commission

Before Division One: James M. Smart, Jr. Presiding Judge, Lisa White Hardwick, Judge and Gary D. Witt, Judge

Edmund Terrell (“Terrell”) appeals the decision of the Labor and Industrial Relations Commission (“Commission”) that denied Terrell’s application for review.

Terrell was employed as a Habitation Specialist at Focus On Residential Services (“Employer”), from 2008 until his discharge on August 16, 2011. Terrell sought unemployment benefits. The Deputy determined that Terrell was not discharged for misconduct and therefore entitled to benefits. Employer appealed to the Appeals Tribunal, which reversed the Deputy’s determination and found Terrell had committed “misconduct.” Terrell appealed to the Commission. The Commission did not rule on the merits but denied Terrell’s appeal because he failed to appear at the hearing before the Appeals Tribunal. Terrell appeals to this Court.

Terrell argues that the Commission erred because the Employer failed to meet its burden of proving misconduct. Terrell’s argument presumes that we are empowered to reach the merits of the Appeal Tribunal’s Decision. We cannot. Terrell does not allege any error on the part of the Commission with respect to the Commission’s decision to affirm the dismissal of his case for failure to appear at the hearing. Having failed to address the grounds upon which the Commission dismissed his claim, Terrell presents no appealable issue for this court to review.

Accordingly, this Court must dismiss Terrell’s appeal.

Opinion by Gary D. Witt, Judge

July 31, 2012

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